



[BILLING CODE 3190-W2-P]

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**Fiscal Year 2013 Tariff-rate Quota Allocations for Raw Cane Sugar, Refined and Specialty Sugar, and Sugar-Containing Products**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The Office of the United States Trade Representative (USTR) is providing notice of country-by-country allocations of the Fiscal Year (FY) 2013 in-quota quantity of the tariff-rate quotas for imported raw cane sugar, refined and specialty sugar, and sugar-containing products.

**EFFECTIVE DATE:** October 1, 2012

**ADDRESSES:** Inquiries may be mailed or delivered to Ann Heilman-Dahl, Director of Agricultural Affairs, Office of Agricultural Affairs, Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:** Ann Heilman-Dahl, Office of Agricultural Affairs, telephone: 202-395-6127 or facsimile: 202-395-4579.

**SUPPLEMENTARY INFORMATION:** Pursuant to Additional U.S. Note 5 to Chapter 17 of the Harmonized Tariff Schedule of the United States (HTS), the United States maintains tariff-rate quotas (TRQs) for imports of raw cane sugar and refined sugar. Pursuant to Additional U.S. Note 8 to Chapter 17 of the HTS, the United States maintains a TRQ for imports of sugar-containing products.

Section 404(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a TRQ for any agricultural product among supplying countries or customs areas. The President delegated this authority to the United States Trade Representative in Presidential Proclamation 6763 (60 FR 1007).

On September 10, 2012, the Secretary of Agriculture (Secretary) announced the sugar program provisions for fiscal year (FY) 2013 (Oct. 1, 2012, through Sept. 30, 2013). The Secretary announced an in-quota quantity of the TRQ for raw cane sugar for FY 2013

of 1,117,195 metric tons\* raw value (MTRV), which is the minimum amount to which the United States is committed to provide access for under the World Trade Organization (WTO) Agreement. USTR is allocating this quantity (1,117,195 MTRV) to the following countries in the amounts specified below:

Country	FY 2013 Raw Cane Sugar Allocations (MTRV)
Argentina	46,154
Australia	89,087
Barbados	7,513
Belize	11,807
Bolivia	8,587
Brazil	155,634
Colombia	25,760
Congo	7,258
Costa Rica	16,100
Cote d'Ivoire	7,258
Dominican Republic	188,908
Ecuador	11,807
El Salvador	27,907
Fiji	9,660
Gabon	7,258
Guatemala	51,520
Guyana	12,880
Haiti	7,258
Honduras	10,733
India	8,587
Jamaica	11,807
Madagascar	7,258
Malawi	10,733
Mauritius	12,880
Mozambique	13,953
Nicaragua	22,540
Panama	31,127
Papua New Guinea	7,258

Paraguay	7,258
Peru	44,007
Philippines	144,901
South Africa	24,687
St. Kitts & Nevis	7,258
Swaziland	17,174
Thailand	15,027
Trinidad & Tobago	7,513
Uruguay	7,258
Zimbabwe	12,880

These allocations are based on each country's historical shipments to the United States. The allocations of the in-quota quantities of the raw cane sugar TRQ to countries that are net importers of sugar are conditioned on receipt of the appropriate verifications of origin, and certificates for quota eligibility must accompany imports from any country for which an allocation has been provided.

On September 10, 2012, the Secretary announced the establishment of the in-quota quantity of the FY 2013 refined sugar TRQ at 117,254 MTRV for which the sucrose content, by weight in the dry state, must have a polarimeter reading of 99.5 degrees or more. This amount includes the minimum amount to which the United States committed to provide market access under the WTO Agreement (22,000 MTRV of which 1,656 MTRV is reserved for specialty sugar) and an additional 95,254 MTRV for specialty

sugars. USTR is allocating 12,050 MTRV of refined sugar to Canada and 8,294 MTRV of refined sugar to be administered on a first-come, first-served basis.

Imports of all specialty sugar will be administered on a first-come, first-served basis in five tranches. The Secretary has announced that the total in-quota quantity of specialty sugar will be the 1,656 MTRV included under the U.S. WTO commitment plus an additional 95,254 MTRV. The first tranche of 1,656 MTRV will open October 12, 2012. All types of specialty sugars are eligible for entry under this tranche. The second tranche of 35,245 MTRV will open on October 26, 2012. The third, fourth, and fifth tranches of 20,003 MTRV each will open on January 11, 2013, April 11, 2013 and July 11, 2013, respectively. The second, third, fourth and fifth tranches will be reserved for organic sugar and other specialty sugars not currently produced commercially in the United States or reasonably available from domestic sources.

With respect to the in-quota quantity of 64,709 metric tons (MT) of the TRQ for imports of certain sugar-containing products maintained under Additional U.S. Note 8 to Chapter 17 of the HTS, USTR is allocating 59,250 MT to Canada. The remainder,

5,459 MT, of the in-quota quantity is available for other countries on a first-come, first-served basis.

Raw cane sugar, refined and specialty sugar and sugar-containing products for FY 2013 TRQs may enter the United States as of October 1, 2012.

\*Conversion factor: 1 metric ton = 1.10231125 short tons.

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**Ambassador Ron Kirk**

**United States Trade Representative**

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